

RECEIVED

OCT 15 2004

Serial No. 09/750,878

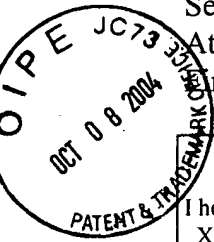
Attorney Docket No. E0903

Form Reference No. AMDSP0371US

Technology Center 2600

Petition For An Extension of Time

Petition Dated October 4, 2004



CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

X being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address below.

being transmitted via facsimile to (703) 872-9306 at the U.S. Patent and Trademark Office to the Attention of Examiner Clemence S. Han.

Andrew Romero

Andrew Romero

October 4, 2004

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicant: Chin-Wei Liang

Serial No: 09/750,878

Filing Date: 12/28/2000

Art Unit: 2665

Examiner: Clemence S. Han

Confirmation No: 9608

Title: **METHOD TO SELECT TRANSMISSION RATE FOR NETWORK DEVICE**

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION FOR AN EXTENSION OF TIME

Applicants hereby Petition for an extension of time in the above-identified patent application as noted below for the Non-Final Office Action which issued (mailed) on June 3, 2004.

10/12/2004 JADD01 00000002 180988 09750878

01 FC:1251 110.00 DA

Serial No. 09/750,878
Attorney Docket No. E0903
Firm Reference No. AMDSP0371US

Petition For An Extension of Time
Petition Dated October 4, 2004

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of
 X other than a small entity.
 a small entity.

2. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) X Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(3)) for the total number of months checked below:

| | Extension (months) | Fee for other than small entity | Fee for small entity |
|--------------|-----------------------|------------------------------------|-------------------------|
| <u> X </u> | one month | \$ 110.00 | \$ 55.00 |
| <u> </u> | two months | \$ 400.00 | \$ 200.00 |
| <u> </u> | three months | \$ 920.00 | \$ 460.00 |
| <u> </u> | four months | \$ 1,440.00 | \$ 720.00 |

Extension fee \$ 110.00

If additional extension of time is required, please consider this a petition therefor.

 An extension for month has already been secured.
The fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

- (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Serial No. 09/750,878
Attorney Docket No. E0903
Firm Reference No. AMDSP0371US

Petition For An Extension of Time
Petition Dated October 4, 2004

3. TOTAL FEE DUE

The total fee due is:

Extension fee: \$110.00

TOTAL FEE DUE \$ 110.00

4. FEE PAYMENT

 Attached is a check in the sum of \$.

 X Charge Account No. 18-0988 the sum of \$ 110.00 (Our Ref. E0903
(AMDSP0371US).

(A duplicate of this transmittal is attached.)

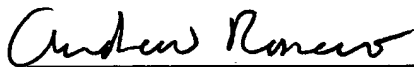
5. FEE DEFICIENCY

 X If any additional extension and/or fee is required,
charge Account No. 18-0988.

and/or

 X If any additional fee for claims is required,
charge Account No. 18-0988.

Respectfully submitted,
RENNER, OTTO, BOISSELLE & SKLAR, LLP



Andrew Romero, Reg. No. 43,890

1621 Euclid Avenue, 19th Floor
Cleveland, Ohio 44115-2191

Telephone: (216) 621-1113

Facsimile: (216) 621-6165

R:\ARomero\Cases\AMDS\P0368US\One Month Extension.doc